



CANNON BUILDING
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DOVER, DELAWARE 19904-2467

STATE OF DELAWARE
DEPARTMENT OF STATE
DIVISION OF PROFESSIONAL REGULATION

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PUBLIC MEETING MINUTES:	COUNCIL ON REAL ESTATE APPRAISERS
MEETING DATE AND TIME:	Tuesday, September 17, 2013 at 9:30 a.m.
PLACE:	861 Silver Lake Boulevard, Dover, Delaware Conference Room A , 2nd floor of the Cannon Building
MINUTES APPROVED:	October 15, 2013

Members Present

Georgianna Trietley, Chair, Professional Member
Ronald Mandato, Vice Chair, Professional Member
Douglas Nickel, Professional Member
Lynn Baker, Professional Member
Jan Jenkins, Public Banking Member

Division Staff/Deputy Attorney General

Kevin Maloney, Deputy Attorney General
Amanda McAtee, Administrative Specialist II
Jeff Ford, Investigative Supervisor

Members Absent

Frank Smith, Public Member
Frank Long, Public Member
Brad Levering, Professional Member

Public Present

Cheryl Russell
Martin Duszak
Beverly Wilson

Call to Order

Ms. Trietley called the meeting to order at 9:32 a.m.

Review and Approval of Minutes

The Council reviewed the minutes from the July 16, 2013 meeting. Mr. Mandato made a motion, seconded by Mr. Baker, to approve the minutes as submitted. By unanimous vote, the motion carried.

Unfinished Business

Status of Complaints

19-06-10 – Dismissed by Attorney General's Office Prosecutorial Discretion

19-04-11 – Dismissed by Attorney General's Office Interest of Justice

19-05-11 – Dismissed by Attorney General's Office Prosecutorial Discretion

19-06-11 – Dismissed by Attorney General's Office Interest of Justice

19-07-11 – Dismissed by Attorney General's Office Moot as the proper license was obtained

19-15-11 – Dismissed by Attorney General's Office Prosecutorial Discretion

19-04-12 – Dismissed by the Division

19-16-12 – Forwarded to Attorney General's Office for Review

19-16-12 – Dismissed by Attorney General's Office Insufficient Evidence

Ms. Trietley stated the status of complaints were as listed above.

Review and Consideration of Order to Amend Rules and Regulations

The Council signed the order from their April 22, 2013 Rules and Regulations hearing and adopted the proposed changes. No written comments were ever received by the Council office.

New Business

New Complaints

Ms. McAtee stated that she had not received any new complaints but wanted to inform the Council that the Division had a new procedure for handling complaints. The complaints would be received and would not be assigned to a contact person until the investigator requested a contact person be assigned to the complaint.

Jeff Ford explained to the Council that cases that threatened imminent danger to the public would be investigated first and that the investigators have become more proficient in investigating appraiser cases. Mr. Ford stated that the average time to close complaints was about fourteen months and now they are able to close cases within one year. Mr. Ford reported that several investigators had taken the USPAP course and received training. He explained that the only cases that would be dismissed without consulting the Council (assigning a contact) would be cases that were based primarily on hearsay and for those that involved crimes that were not substantially related to the practice. Investigators would request guidance from a Council contact person on cases that revolved around appraisals.

Ratification of Issued Licenses

Mr. Nickel made a motion, seconded by Mr. Baker, to ratify the list of licenses issued below. The motion carried unanimously.

Kenneth Riggs, CGRPA
Alan Plush, CGRPA
David Salinas, CGRPA
Anne Bernhardt, CRRPA
Deborah Katzman, CRRPA
Margaret McCracken, CRRPA
Marc Dattoma, CRRPA
James Myers, Temporary Practice Permit (three permits)
Miles Loo, Temporary Practice Permit (three permits)
Eric Michel, Temporary Practice Permit
Paula Konikoff, Temporary Practice Permit
Linda Atkinson, Temporary Practice Permit
James MacAdam, Temporary Practice Permit
Winthrop Perkins, Temporary Practice Permit
Michael Cummings, Temporary Practice Permit
Hayden Gordon, Temporary Practice Permit
Eric B. Lewis, Temporary Practice Permit

Review of Application for Certified Assessor

None

Review of Application for Examination

None

Review of Application for Re-examination

None

Review of Application for Exemption

Eric Espada Jr.

Ms. Trietley reviewed the applications for exemption for the Council. Mr. Baker made a motion, seconded by Mr. Mandato, to approve the applications for exemption for Eric Espada Jr. The motion carried unanimously.

Reciprocity

Marc G. Nassif

Ms. Trietley reviewed the application for reciprocity for the Council. After discussion and review, the Council concluded that Marc G. Nassif had relied on a staff member to obtain temporary permits while he was working in another jurisdiction and it was later found that the staff member had misrepresented their qualifications. When they were terminated from the company they went and filed complaints against the appraisers they had not properly applied for temporary permits. The Council agreed that this should not preclude him from licensure. Mr. Nickel made a motion, seconded by Mr. Baker, to approve the reciprocity application of Marc G. Nassif. The motion carried unanimously.

Review of Hearing Officer Recommendations

James H. Cassidy III

The Council reviewed the hearing officer recommendation for James H. Cassidy III. After discussion, Mr. Nickel made a motion, seconded by Ms. Jenkins, to accept the hearing officer recommendation for James H. Cassidy III. The motion carried unanimously.

Review and Deliberation of Consent Agreements

None

Review of Application for Temporary Practice Permit

Ronald K. Owens Jr.

Ms. McAtee stated that Mr. Owens had discipline in another state and the Division could not issue the temporary practice permit without Council review. The Council reviewed the temporary practice permit application for Ronald K. Owens Jr. Mr. Nickel made a motion, seconded by Ms. Jenkins, to approve the temporary practice permit for Ronald K. Owens Jr. The motion carried unanimously.

Review of Experience Log

Kelli Holman

Ms. McAtee stated that the experience log of Kelli Holman required review. Mr. Baker volunteered to review the log and select sample reports for USPAP compliance review.

Approval of Continuing Education Activities

After review, Mr. Baker made a motion, seconded by Ms. Jenkins, to approve the continuing education activities in the attached listing with the exception of the Commercial Real Estate School Tri-State RCA course, *Investing in Real Estate with your IRA*. The motion carried unanimously.

Board Order Compliance

None

Proposed Rules and Regulations Changes

Ms. McAtee stated that a draft of the assessor changes and appraiser changes to reflect the new AQB criteria that were discussed during the July meeting would be brought to the October meeting.

ASC Compliance Review Report

James Rostocki

Ms. McAtee stated that the Appraisal Subcommittee (ASC) had sent their final report for review. In the report, the ASC stated that a licensee was improperly credentialed in that required college courses had not been taken. Ms. McAtee requested that the Council review the ASC report and the correspondence from Mr. Rostocki regarding the college courses in question by the ASC. Mr. Nickel stated that the courses did not seem to match up with the ASC requirements. Mr. Rostocki had taken an intro to macro and micro economics course, the course was an introduction course and was not two different courses. Ms. Trietley questioned if the Council could give Mr. Rostocki time to acquire the necessary credits since the requirement was combined onto one line and could have been interpreted to mean one course. Ms. McAtee stated that she could speak to the ASC and inquire if any other options existed. Ms. McAtee stated that the Division would have to take the necessary steps to rectify the mistake and would consider all options available. Mr. Nickel made a motion, seconded by Mr. Mandato, to delegate authority to the Division of Professional Regulation to rectify the improperly credentialed licensee identified in the ASC's final report. The motion carried unanimously.

Other Business before the Council (for discussion only)

Public Comment

Beverly Wilson from the Delaware Association of Professional Appraisers stated that twenty-three of twenty-seven states audited by the ASC were found not to be in compliance in various areas. Ms. Wilson thanked the Council for their hard work.

Executive Session

None

Next Meeting

The next meeting is scheduled for October 15, 2013 at 9:30 a.m. in Conference Room A second floor, Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware.

Adjournment

Mr. Nickel made a motion, seconded by Mr. Baker, to adjourn the meeting. There being no further business before the Council, the meeting adjourned at 11:34 a.m. The motion carried unanimously.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'A McAtee', written in a cursive style.

Amanda McAtee
Administrative Specialist II

The notes of this meeting are not intended to be a verbatim record of the topics that were presented or discussed. They are for the use of the Council members and the public in supplementing their personal notes and recall for presentations.

Agenda Item 4.12**CE Activities for Approval**

Approved Courses in Green / Not Approved Courses in Red

Course Provider/Licensee	Course Title	Online	Date	QE/CE Hou
Allied Business Schools	7 hour USPAP	Online	Multiple	7 CE
Allied Business Schools	15 hour USPAP	Online	Multiple	15 CE
Allied Business Schools	Resid. Appraiser Site Valuation Cost Approach	Online	Multiple	15 CE
Allied Business Schools	Resid. Market Analysis & Highest & Best Use	Online	Multiple	15 CE
Allied Business Schools	Resid. Sales Comparison & Income Approach	Online	Multiple	30 CE
Allied Business Schools	Case Studies in Complex Appraisal	Online	Multiple	7 CE
Allied Business Schools	Complex Residential Appraisal	Online	Multiple	14 CE
Allied Business Schools	Creating Credible Appraisers	Online	Multiple	7 CE
Allied Business Schools	Financing for Appraisers	Online	Multiple	14 CE
Allied Business Schools	Real Estate Appraisal Report Writing			15 CE
Allied Business Schools	Real Estate Appraisal Principles, Practices, & Report Writing	Online	Multiple	75 CE
American School of Real Estate Express	Basic Appraisal Procedures	Online	Multiple	30 QE
American School of Real Estate Express	Basic Appraisal Principles	Online	Multiple	30 QE
ASFMRA	Basic Appraisal Principles	Online	Multiple	30QE/28CE
ASFMRA	Basic Appraisal Procedures	Online	Multiple	30QE/28CE
ASFMRA	General Market Analysis & Highest & Best Use	Online	Multiple	30QE/28CE
ASFMRA	Cost Approach for General Appraisers	Online	Multiple	30QE/27CE
ASFMRA	Sales Comparison Approach for General Appr	Online	Multiple	30QE/27CE
ASFMRA	Income Approach for General App. Part I	Online	Multiple	30QE/27CE
ASFMRA	Introduction to Appraisal Review	Online	Multiple	30QE/27CE
ASFMRA	Appraisal Review Under USPAP	Online	Multiple	22 CE
ASFMRA	Appraisal Review Under USPAP for Federal	Online	Multiple	16 CE
	Land Acquisition			
ASFMRA	Advanced Appraisal Review Case Studies	Online	Multiple	16 CE
ASFMRA	Advanced Rural Case Studies	Online	Multiple	36 CE
ASFMRA	Require. Of UASFLA the "yellow book"	Online	Multiple	22 CE
ASFMRA	Valuation of Conservation Easements and	Online	Multiple	22 CE
	Other Partial Interests in Real Estate			
ASFMRA	Best Practices for Rural Appraisal	Online	Multiple	8 CE
ASFMRA	Minerals Appraisal Seminar	Online	Multiple	8 CE
ASFMRA	Rural Case Studies I	Online	Multiple	8 CE

ASFMRA	Regression Analysis Uses in Appraisal	Online	Multiple	8 CE
Appraisal Institute	Litigation Assignments for Residential App	Classroom	TBD	4 CE
Appraisal Institute	Review Theory - Residential	Classroom	TBD	17/15 CE
Appraisal Institute	Review Theory - General	Classroom	TBD	33/30 CE
Appraisal Institute	Int'l Valuation Standards Overview	Classroom	TBD	8/7 CE
Appraisal Institute	Advanc. Market Analysis & Highest Best Use	Online	TBD	35CE/32QE
Appraisal University	Appraising Historic Property	Online	Multiple	7 CE
Appraisal University	Practices and Pitfalls for the Resid. Appraiser	Online	Multiple	9 CE
Appraisal University	Site Analysis and Valuation	Online	Multiple	7 CE
Appraisal University	Practical Application of the Cost Approach	Online	Multiple	4 CE
Appraisal University	Retail Center Analysis for Financing	Online	Multiple	7 CE
Appraisal University	2012-2013 7 hour USPAP Update	Online	Multiple	7 CE
Commercial Real Estate School TriState RCA	Taxation of Commercial Real Estate	Classroom	TBD	3.5 CE
Commercial Real Estate School TriState RCA	Investing in Real Estate with your IRA and 401K Retirement Plan	Classroom	TBD	3 CE
Commercial Real Estate School TriState RCA	Real Estate Cycle Theory	Classroom	TBD	3 CE
Commercial Real Estate School TriState RCA	Current Issues in Real Estate Law	Classroom	TBD	3 CE
IRWA	431 - Problems in the Valuation of	Classroom	10/1/2013	8CE/8QE
Delmarva Chapter 56	Partial Acquisitions			
IRWA	900 - Principles of Real Estate Engineering	Classroom	July 29-30, 2013	16CE/16QE
Delmarva Chapter 56				
IRWA	901 - Engineering Plan Development and	Classroom	7/31/2013	8CE/8QE
Delmarva Chapter 56	Application			
IRWA	902 - Property Descriptions	Classroom	8/1/2013	8CE/8QE
Delmarva Chapter 56				
McKissock	Live Webinar: Green Guide to Appraising	Online	Multiple	7 CE
McKissock	The Income Approach	Online	Multiple	6 CE
McKissock	General Report Writing and Case Studies	Online	Multiple	30 QE
Philadelphia Metro Chapter of IA	Delaware Law Rules and Regulations	Classroom	9/12/2013	3 CE